

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 10-3452 JB

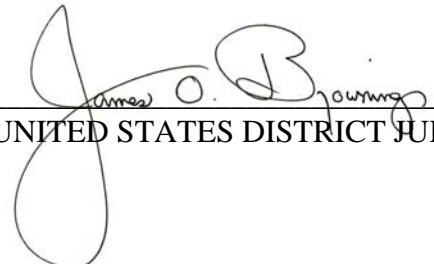
DAJUAN CORTEZ MARCELLUS,

Defendant.

**MEMORANDUM OPINION AND ORDER**

**THIS MATTER** comes before the Court on the United States' Motion to Revoke Magistrate Judge's Release Order, filed December 10, 2010 (Doc. 3). The Court held a hearing on January 13, 2011. Plaintiff United States of America moves the Court to revoke the Magistrate Judge's release order. At the hearing, Plaintiff United States of America has shown by clear and convincing evidence that the Defendant Dajuan Cortez Marcellus is a danger to the community, and by a preponderance of the evidence that he is a flight risk. For these reasons, and for the reasons stated on the record at the hearing, the Court will grant the United States' motion and order the Defendant detained pending trial.

**IT IS ORDERED** that the United States' Motion to Revoke the Magistrate Judge's Release Order, filed December 10, 2010 (Doc. 3), is granted. Defendant Dajuan Cortez Marcellus shall remain detained pending trial.

  
UNITED STATES DISTRICT JUDGE

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